

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46550 of 2018

Arising Out of PS.Case No. -32 Year- 2018 Thana -MAHILA P.S. District- BANKA

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1. Pankaj Kumar Mandal S/o Jagdish Mandal, R/o Vill.- Basleta, P.S.-
Bandhuwa Kurawa, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-08-2018

Heard learned counsel for the petitioner as well as the
State.

The petitioner apprehends his arrest in Banka Mahila P.S.
Case No. 32/2018, instituted for the offences punishable under Sections
341, 323, 354(A), 504 and 506 of the Indian Penal Code read with
Section 8 of POCSO Act.

It is alleged in the written report that the petitioner, who
is running a coaching institute, expressed his desire to marry with the
informant as he is in love with her. When the informant refused to
marry, petitioner gave threat to kill her.

Learned counsel for the petitioner has submitted that the
cousin brother of informant is also running a coaching centre in the
name of “Maa Durga Coaching Centre” and just to damage the
reputation of coaching centre of petitioner, this false case has been
lodged. It is further submitted that the petitioner has clean antecedent



and no any such complaint has ever been made against him prior to the present case.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Banka Mahila P.S. Case No. 32/2018, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I-cum-Special Judge, Banka, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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